



City of Marietta Meeting Agenda

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

CITY COUNCIL

William B. Dunaway, Mayor
Betty Lou Hunter, Ward 1
M. C. (Pete) Waldrep, Jr., Ward 2
John V. Sinclair, Ward 3
G. A. (Andy) Morris, Ward 4
Rev. Anthony Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Wednesday, January 12, 2005

7:00 PM

Council Chamber

" D R A F T "

INVOCATION:

Councilman Philip M. Goldstein introducing Iqbal Kalla to give the invocation

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

20041433 Service Award for Pete Waldrep

Presentation of award for 10 years of service to Councilman M. C. "Pete" Waldrep, Jr.

20050035 Presentation of Allgood Road by SPSU

Presentation of the Allgood Road Collaborative which is a joint effort of the City of Marietta and Southern Polytechnic State University. This gives architectural, civil engineering and construction students the opportunity to present conceptual projects to the local community.

PROCLAMATIONS:

CONSENT AGENDA:

Consent agenda items are marked by an asterisk (*).

(A public hearing will be held only for those items marked by an asterisk that require a public hearing, which is so noted below the agenda item.)

MINUTES:

20041431 Regular Meeting - December 8, 2004

Review and approval of the December 8, 2004 regular meeting minutes.

MAYOR'S APPOINTMENTS:

20041393 Mayor Pro tem

Appointment of a Mayor Pro tem for a term of one year expiring on January 2, 2006.

20041394 Presiding Officer

Appointment of a Presiding Officer for a term of one year expiring on January 2,

2006.

20041395 BLW Appointment (Council member)

Appointment of a council member to the Board of Lights and Water for a term of one year. The term will become effective January 17, 2005 and expire on January 2, 2006.

20041396 Economic/Community Development Committee

Appointment of a chairman and two additional members to the Economic/Community Development Committee for a term of one year expiring on January 2, 2006.

20041397 Finance/Investments Committee

Appointment of a chairman and two additional members to the Finance/Investments Committee for a term of one year expiring on January 2, 2006.

20041398 Judicial/Legislative Committee

Appointment of a chairman and two additional members to the Judicial/Legislative Committee for a term of one year expiring on January 2, 2006.

20041399 Parks, Recreation & Tourism Committee

Appointment of a chairman and two additional members to the Parks, Recreation and Tourism Committee for a term of one year expiring on January 2, 2006.

20041400 Personnel/Insurance Committee

Appointment of a chairman and two additional members to the Personnel/Insurance Committee for a term of one year expiring on January 2, 2006.

20041401 Public Safety Committee

Appointment of a chairman and two additional members to the Public Safety Committee for a term of one year expiring on January 2, 2006.

20041402 Public Works Committee

Appointment of a chairman and two additional members to the Public Works Committee for a term of one year expiring on January 2, 2006.

20041403 Marietta Housing Authority Liaison

Appointment of a council liaison member to the Marietta Housing Authority for a term of one year expiring on January 2, 2006.

20041404 Marietta Board of Education

Appointment of a council liaison member to the Marietta Board of Education for a term of one year expiring on January 2, 2006.

20041405 Pension Board (Council Representatives)

Appointment of two council members to the City of Marietta Pension Board for one year terms expiring on January 2, 2006.

CITY COUNCIL APPOINTMENTS:**20040464 Planning Commission Appointment - Ward 3**

Appointment to the Planning Commission, Ward 3, to fill an unexpired term of three (3) years expiring on May 17, 2007.

*** 20041298 ADA Advisory Board - Post 1**

Appointment of Nysia Lanier to Post 1 of the American with Disabilities Advisory (ADA) Board for a three-year term expiring on December 31, 2007.

*** 20041300 ADA Advisory Board - Post 5**

Re-appointment of Lawrence (Larry) Panetta to Post 5 of the American with Disabilities Advisory (ADA) Board for a three-year term expiring on December 31, 2007.

*** 20041408 Planning Commission (Ward 1)**

Reappointment of William Florence to the Planning Commission, Ward 1, for a term of three years expiring on January 14, 2008.

*** 20041429 Cobb Municipal Association Voting Delegates for 2005**

Appointment of Betty L. Hunter and Philip M. Goldstein as the 2005 voting delegates for the Cobb Municipal Association.

*** 20041430 Marietta Welcome Center & Visitors Bureau**

Re-appointment of Philip M. Goldstein to the Marietta Welcome Center & Visitors Bureau for a two-year term.

ORDINANCES:**20041351 Z2005-01 Joy E. Zoodsma 479 & 483 Kennesaw Avenue**

Z2005-01 JOY ZOODSMA requests rezoning for property located in Land Lot 10850, Parcels 70 and 1680, 16th District, 2nd Section, Marietta, Cobb County, Georgia and being known as 479 and 483 Kennesaw Avenue from R2 (Single Family Residential) to R4 (Single Family Residential). Ward 4A.

Public Hearing

All parties sworn in

Planning Commission recommends Denial

Vote: 5- 0

20041352 Z2005-02 James Collins portions of 137 and 325 Austin Avenue

Z2005-02 JAMES COLLINS requests rezoning for property located in Land Lot 1141, portions of parcel 7 and 27, 16th District, 2nd Section, Marietta, Cobb County, Georgia and being known as portions of 317 and 325 Austin Avenue from R4 (Single Family Residential) to CRC (Community Retail Commercial). Ward 6A.

Public Hearing

All parties sworn in

Planning Commission recommends Denial

Vote: 5- 0

20041426 Z2005-05 City of Marietta

Z2005-05 CITY OF MARIETTA requests rezoning for certain properties located in Land Lots 1290 and 1291 of the 16th District and certain properties located in Land Lots 216 and 217 of the 17th District from RM12 (Multi-family residential 12 units/acre), CRC (Community Retail Commercial) and R4 (Single Family Residential 4 units/acre) to MXD (Mixed Use Development).

Public Hearing

All parties sworn in

Planning Commission recommends Approval

Vote: 5- 0

*** 20050004 Code Enforcement - 879 Meadow Place**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation rendering sanitary, property located at 879 Meadow Place in the corporate limits of the City of Marietta.

Certified mail receipt received November 2, 2004.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

RESOLUTIONS:

*** 20041308 Delk Road LCI TOD Study**

A Resolution approving the findings and conclusions of the Delk Road Transit Oriented Development (TOD) Livable Centers Initiative (LCI) study.

CITY ATTORNEY'S REPORT:

CITY MANAGER'S REPORT:

MAYOR'S REPORT:

COMMITTEE REPORTS:

1. Economic/Community Development: John V. Sinclair, Chairperson

*** 20041449 Manget Street Redevelopment Projects**

Motion to approve the request for proposal (RFP) for the Manget Street Redevelopment Project and authorize issuance, with the right to accept and reject all bids.

2. Finance/Investment: Philip M. Goldstein, Chairperson

*** 20041414 Vest Reimbursement**

Ordinance approving a budget amendment for the acceptance of a grant for bullet resistant vests in the amount of \$4,740.50.

*** 20041450 MFES Use of Cobb Tax Equity Reimbursement**

Ordinance amending FY2005 General Fund Budget to receive and appropriate Cobb Tax Equity Reimbursement of \$400,000 for purchase of Fire Truck and Intersection Safety Program receipts of \$128,909 for funding program and administrative costs.

20050005 Budget Amendment related to Redevelopment Projects

Ordinance amending the fiscal year 2005 budget to appropriate \$191,000 from fund balance to the property acquisition account to cover carrying an disposition costs for the Manget Street and Johnny Walker Homes Redevelopment projects.

3. Judicial/Legislative: M. C. "Pete" Waldrep, Jr., Chairperson*** 20041309 Sign Ordinance Amendment for Fee Changes**

Motion to authorize advertisement of a public hearing at the February, 2005, City Council Meeting to consider the proposed amendment to the Sign Ordinance for the purpose of eliminating sign permit fees for permanent signs, while continuing to require building permit fees.

*** 20041361 Establishing Qualifying Fees & Qualifying Period for the November 8, 2005 General Election**

Ordinance to provide for the establishment of qualifying fees for the office of Mayor and the office of Council for the city of Marietta, Georgia and to provide for the opening and closing dates for filing notice of candidacy by candidates.

*** 20041443 Historic Preservation Ordinance**

Motion to authorize advertisement for a Public Hearing to be held at the February, 2005, City Council Meeting regarding the proposed amendment to the Historic Preservation Ordinance.

Councilman Philip M. Goldstein voting against.

*** 20041428 2005 Judicial Legislative Issues**

Motion to approve Marietta's top legislative items for the Georgia General Assembly Session for 2005.

4. Parks, Recreation and Tourism: Rev. Anthony Coleman, Chairperson*** 20041419 Special Event Street Closure Requests for 2005**

Motion to approve the temporary closing of streets and parking spaces for the attached special events in calendar year 2005.

*** 20041441 Use of Glover Park**

Motion to waive Section 10-4-70D of the Marietta Code of Ordinances and approve the consumption of alcohol in Glover Park for the State Bar of Georgia event on Friday, April 7, 2006 from 5:00 p.m. until 7:00 p.m.

5. Personnel/Insurance: Betty L. Hunter, Chairperson**6. Public Safety Committee: G. A. "Andy" Morris, Chairperson****7. Public Works Committee: James W. King, Chairperson****20041454 Automated Traffic Enforcement System**

Motion to authorize staff to move forward with the installation of two Automated Traffic Enforcement Systems at the intersections of Allgood Road and Cobb Parkway and Roswell Road and Cobb Parkway over a twelve-month period.

Councilman Philip M. Goldstein voting against.

- * **20041455 Request from Georgia Department of Transportation regarding Old Canton Road Bridge at US 41**

Motion to approve a request from the Georgia Department of Transportation to add a portion of Industrial Park Drive and Elizabeth Street to the State Route system for the duration of the construction project at Old Canton Road and US 41, contingent upon the approval of the City Attorney.
- * **20041457 Proposed Right of Way Exchange on Fairview Avenue**

Motion to deny a request to exchange right of way along Fairview Avenue as a part of an annexation and rezoning request.
- * **20041459 Cora Court and Henry Drive Right of Way**

Motion to approve a request to close Cora Court and a portion of Henry Drive.
- * **20041460 Budget Amendments for Cherokee Street @ Cherry Street and Tower Road @ Church Street**

Motion to approve a request to establish budget amendments for the Georgia Department of Transportation funding for Cherokee Street at Cherry Street and Tower Road at Church Street improvement projects.
- * **20041490 Marietta Aeronautical Museum Request**

Motion to provide a permanent loan of the Berlin Wall piece to the Marietta Aeronautical Museum and transfer ownership immediately, subject to the condition that the Berlin Wall piece will revert back to the city if the museum is dissolved.

SCHEDULED APPEARANCES:

UNSCHEDULED APPEARANCES:

OTHER BUSINESS:

- 20041468 Laurel Springs Homeowners Association, Inc. Appeal Hearing**

Appeal hearing for the Laurel Springs Homeowners Association, Inc., regarding the decision to issue a beer license to Eun & Agnes, Inc., dba Maria Bonita Club, 1177 Bellemeade Drive, Marietta, GA.
- 20041469 Dunleith Homeowners Association Appeal Hearing**

Appeal Hearing for the Dunleith Homeowners Association regarding the decision to issue a beer and bar lounge license to Eun & Agnes, Inc., dba Maria Bonita Club, 1177 Bellemeade Drive, Marietta, GA.
- 20041479 HO2005-01 Gerald Alvarez and Ann Clark 144 Coryell Street**

HO2005-01 GERALD ALVAREZ AND ANN CLARK request home occupation for property located in Land Lot 12330 of the 16th District, Parcel 0140, 2nd Section of Cobb County, Marietta, Georgia and being known as 144 Coryell Street. Request to establish a home occupation for counseling service.
- 20050017 BLW January 10, 2005 Regular Meeting**

Review and approval of the actions and minutes of the Board of Lights and Water Works (BLW) for the January 10, 2005 regular meeting.

ADJOURNMENT: